

1 REIDUN STRØMSHEIM (CSBN 104938)  
JOANNE LAFRENIERE (CSBN 158011)  
2 STROMSHEIM & ASSOCIATES  
201 California Street, Suite 350  
3 San Francisco, California 94111  
Telephone: (415) 989-4100  
4 FAX: (415) 989-2235  
rstromsheim@stromsheim.com

5 Attorneys for John Kendall, Chapter 7 Trustee

6 McNUTT LAW GROUP LLP  
7 SCOTT H. McNUTT (CSBN 104696)  
MICHAEL C. ABEL (CSBN 187743)  
8 THOMAS B. RUPP (CSBN 278041)  
188 The Embarcadero, Suite 800  
9 San Francisco, California 94105  
Telephone: (415) 995-8475  
10 Facsimile: (415) 995-8487

11 Administrative Claimant

12 UNITED STATES BANKRUPTCY COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 In re  
16 FRESH CHOICE ,  
17 Debtors.

Case No. 12-46157 RLE  
Chapter 7  
Adv No. 12-4241

18  
19 JOHN KENDALL, CHAPTER 7 TRUSTEE  
and McNUTT LAW GROUP LLP,  
20 ADMINISTRATIVE CLAIMANT,

21 Plaintiff,  
22 vs.  
23 DAVID S. BOYD,  
24 Defendant.

**STIPULATION TO CONTINUE  
HEARING ON MOTION TO COMPEL  
AND STATUS CONFERENCE**

Judge: Honorable Roger Efremsky  
Date: December 19, 2013  
Time: 11:00 a.m.  
Place: 1300 Clay Street  
Courtroom 201  
Oakland, California

25  
26 Plaintiffs John T. Kendall, chapter 7 trustee (the "Trustee") and McNutt Law Group  
27 ("MLG" and, together with the Trustee, the "Plaintiffs") and Defendant David S. Boyd ("Boyd")  
28 hereby stipulate as follows:

1 The Parties have reached an agreement that resolves all disputes in the above-captions  
2 adversary proceeding. On December 13, 2013, the Trustee filed a motion seeking approval of the  
3 settlement agreement (*see* Main Case 12-46157, Docket Nos. 530-534). If the settlement  
4 agreement is approved, the hearing on this matter will be moot.

5 Consequently, the Parties stipulate that the hearing on Boyd's MOTION TO COMPEL  
6 DISCOVERY AND FOR COSTS [Docket No. 8] and the Status Conference scheduled for December  
7 19, 2013 at 11:00 a.m. shall be continued until January 23, 2014, at 11:00 a.m.

8  
9 DATED: December 17, 2013

MANASIAN & ROUGEAU, LLP

10  
11 By: /s/ Paul E. Manasian

Paul E. Manasian

12 Attorneys for Defendant David S. Boyd

13  
14 DATED: December 17, 2013

STROMSHEIM & ASSOCIATES

15  
16 By: /s/ Reidun Stromsheim

Reidun Stromsheim

17 Attorneys for John Kendall,  
18 Chapter 7 Trustee

19 DATED: December 17, 2013

McNUTT LAW GROUP LLP

20  
21 By: /s/ Michael C. Abel

Michael C. Abel

22 McNutt Law Group LLP  
23 Administrative Claimant  
24  
25  
26  
27  
28